

A. Pending Claims

Claims 413-442, 444-466, and 490-492 are pending and allowed.

B. Information Disclosure Statement

The Office Action states: "The office actions in the information disclosure statement filed August 30, 2004 fails to comply with the provision of 37 CFR 1.97, 1.98 and MPEP § 609 because they were not publicly available." Applicant respectfully disagrees with this statement.

Applicant respectfully submits that information may be properly included in an Information Disclosure Statement even if it is not publicly available. Applicant respectfully requests consideration of the Office Actions submitted in the Information Disclosure Statement filed August 30, 2004.

C. Comments On Statement Of Reasons For Allowance

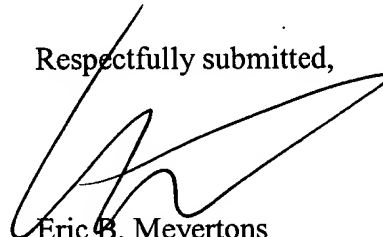
Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance and/or Applicant believes that the Examiner's Statement of Reasons for Allowance is incomplete.

Applicant respectfully submits that the cited art does not teach or suggest the combinations of features set forth in the Applicant's claims. Applicant submits the submitted references at least do not appear to teach or suggest a system for detecting analytes in a fluid that includes a vacuum apparatus having a breakable barrier.

Inventors: McDevitt et al.
Appl. Ser. No.: 09/616,731
Atty. Dkt. No.: 5936-00517

It is believed that no fees are due in connection with the filing of this response. If any fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5936-00517/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

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Date: November 30, 2005

PATENT

McDevitt et al.
09/616,731

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5936-00517/EBM.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Eric B. Meyertons', written over a horizontal line.

Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

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